

# SENATE BILL REPORT

## SHB 1765

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As Passed Senate, March 30, 2017

**Title:** An act relating to donations to the prescription drug donation program.

**Brief Description:** Concerning donations to the prescription drug donation program.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Irwin, Koster, Volz, Kraft, Stokesbary and Kloba).

**Brief History:** Passed House: 3/07/17, 97-0.

**Committee Activity:** Health Care: 3/21/17, 3/23/17 [DP].

**Floor Activity:**

Passed Senate: 3/30/17, 49-0.

### Brief Summary of Bill

- Limits the donated drugs that must be stored under required temperature conditions to only drugs equipped with a time/temperature indicator at the point of manufacture.

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### SENATE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass.

Signed by Senators Rivers, Chair; Becker, Vice Chair; Cleveland, Ranking Minority Member; Kuderer, Assistant Ranking Minority Member; Bailey, Conway, Fain, Keiser, Miloscia, Mullet, O'Ban and Walsh.

**Staff:** Kathleen Buchli (786-7488)

**Background:** Any practitioner, pharmacist, medical facility, drug manufacturer, or drug wholesaler may donate prescription drugs and supplies to a pharmacy for redistribution without compensation to individuals who are uninsured, or to other individuals expressing need if uninsured individuals are not identified as needing the available prescription drugs. Prescription drugs may be accepted and dispensed if the drug is in its original, sealed, and tamper evident packaging or if is in single unit doses that remain intact. The prescription drug must not be expire within six month of the donation and the drug must be inspected before it is dispensed to determine that it is not adulterated or misbranded.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The person to whom a prescription drug was prescribed, or the person's representative, may donate prescription drugs to pharmacies for redistribution upon certifying that the donated prescription drug has not been opened, used, adulterated, or misbranded and if the pharmacist determines the prescription drugs were stored under required temperature conditions using the prescription drugs' time temperature indicator information. A time temperature indicator is a device or label that shows the accumulated time-temperature history of a product by providing a record of temperature exposure through the supply chain.

**Summary of Bill:** To be eligible for donation, only drugs equipped with a time/temperature indicator at the point of manufacture must be stored under required temperature conditions using the drugs' time/temperature indicator information.

The donor form for prescription drugs that do not have a time/temperature indicator at the point of manufacture must include an attestation that the drugs have been stored in a manner that adheres to the conditions established by the manufacturer.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony:** PRO: The time temperature indicator requirement was added to keep the redistribution of prescription drugs safe, however, this made it too restrictive because only 2 percent of drugs carry these indicators. We want to allow more drugs to be donated. This is safe and will drive down health care costs. Families and patients want to help. The prescription drug donation program helps others have access to their prescribed drugs. The addition of the time temperature requirement unintentionally caused the bill to be useless because only a few drugs meet this requirement and it makes almost all drug donations ineligible. We need to start getting prescription drugs into the hands of patients.

**Persons Testifying:** PRO: Representative Morgan Irwin, Prime Sponsor; Becky Van Keulen, \*participating by phone.

**Persons Signed In To Testify But Not Testifying:** No one.